

## **SCHEDULE A**

PLEASE TAKE NOTICE that pursuant to the Court's order in *In re Application for an Order Pursuant to 28 U.S.C. § 1782 to Obtain Discovery for use in Foreign Proceedings* (the "Order"), the attached Subpoena, and Fed. R. Civ. P. 45, BlackBerry Corp. is required to produce and permit inspection of the following:

### **I. DEFINITIONS**

1. "You," "Your," or "BlackBerry" refer collectively to BlackBerry Corporation; and (i) its present or former directors, principals, owners, members, officers, employees, agents, representatives, accountants, investigators, consultants, attorneys, predecessors or successors in interest, parents (including BlackBerry Limited), subsidiaries, joint ventures, affiliated entities, or other legal entities that are or were wholly or partially owned or controlled, either directly or indirectly, by them or under common control with them; (ii) any other Person acting on its behalf or on whose behalf they acted; and (iii) any other Person otherwise subject to their control, or which controls them, or with which they are under common control.

2. "Telety" refers to Telety International Limited; and (i) its present or former directors, principals, owners, members, officers, employees, agents, representatives, accountants, investigators, consultants, attorneys, predecessors or successors in interest, parents, subsidiaries, joint ventures, affiliated entities, or other legal entities that are or were wholly or partially owned or controlled, either directly or indirectly, by them or under common control with them, including but not limited to Telety, LLC, Telety Holdings, LLC, and Telety, Inc.; (ii) any other Person acting on its behalf or on whose behalf they acted; and (iii) any other Person otherwise subject to their control, or which controls them, or with which they are under common control.

3. “Cellular Standard(s)” refers to 3G, 4G, and 5G cellular telecommunications system standards promulgated by 3GPP, ETSI, and/or other standard-setting organizations, including without limitation, (i) WCDMA-based standards (FDD and TDD) Releases 99 and 4 through 7, each within the 3rd Generation Partnership Project (3GPP), and all improvements and revisions thereof; (ii) OFDMA-based standards resulting from the Long Term Evolution (LTE) project and the Long Term Evolution Advanced (LTE Advanced) project, each within the 3GPP, beginning with Release 8 and any and all subsequent releases through Release 14, and all improvements and revisions thereto; and (iii) the Fifth Generation NR (including both Non-Standalone and Standalone modes) standard, including those specifications beginning with Release 15 of the 3GPP, and all improvements and revisions thereof.

## **II. INSTRUCTIONS**

For the purpose of these requests for production, the following instructions shall apply:

a. You are to provide a full and complete response to the following Request, after conducting a diligent and thorough investigation into all Information within Your possession, custody, or control. If You cannot provide a full and complete response to the Request, You must respond to the Request to the extent possible, specifying the portion of the Request You are unable to answer and providing whatever Information You have regarding the unanswered portion.

b. References to corporate entities include their parents, subsidiaries, affiliates, predecessors, successors, and entities they control, which control them, or that are under common control, as well as their agents, employees, officers, directors, representatives, and counsel.

c. As used herein, the singular shall always include the plural, and the present tense shall also include the past tense, and vice versa.

d. The words “and” and “or” shall be construed conjunctively or disjunctively, whichever makes the request most inclusive.

- e. The word “any” shall be understood to include and encompass “all.”
- f. The terms “all” and “each” shall each be construed to include the other.
- g. If a Document is in a language other than English and an English translation exists, produce both Documents.
- h. If any Document or identification of any Document or oral Communication is withheld under a claim of privilege in response to the Request, You shall provide sufficient information to determine the identity of the Document or oral Communication and state the basis for any asserted claim of privilege within ten (10) days from the Date of service for Your responses and objections to these Requests. In particular, for each privileged Document or Communication, You shall identify:
  - i. Its Date;
  - ii. The name and title of its author(s);
  - iii. The name and title of its recipient(s);
  - iv. Its subject matter; and
  - v. The nature of the privilege claimed.
- i. All grounds for an objection to a Request must be stated with specificity.
- j. If You object to any part of the Request and refuse to answer that part, You shall state Your objection and answer all remaining portions of the Request. If You object to the scope or time period of the Request and refuse to answer for that scope or time period, You shall state Your objection and the scope or time period You believe is appropriate.
- k. If the Request cannot be answered in full after exercising due diligence to secure the Information, please so state and answer to the extent possible, specifying Your inability to answer the remainder and stating whatever Information You have concerning the unanswered portion. If Your answer is qualified in any way, set forth the details of such qualification.

l. If You are aware that Information responsive to the Request once existed but has been destroyed, this should be stated, and it should be also stated who destroyed it, the Date on which it was destroyed, why it was destroyed, and the circumstances under which it was destroyed.

m. If any portion of any document is responsive to the Request, the entire document must be produced, including all attachments and enclosures.

n. This Request shall be deemed to seek Information, Documents, and Things in existence as of the Date of service thereof and to the full extent of the Federal Rules of Civil Procedure and local rules. This Request Is of a continuing nature and You are required to file and serve supplemental responses and to produce additional Information, Documents, and Things promptly if You obtain further or different Information or additional Documents or Things after the Date of Your initial response and before this Action is completed. Fed. R. Civ. P. 26(e)

### **III. REQUESTS**

You are requested to produce for inspection and copying the following documents from the files in Your possession, custody, or control:

#### **REQUEST FOR PRODUCTION NO. 1:**

All agreements in Your possession, custody or control that include a grant of a license, covenant, or other rights to any BlackBerry patents relating to any Cellular Standard with respect to any wireless handsets to which Telety is a party or that were negotiated by Telety on BlackBerry's behalf; any related agreements or side letters contemporaneously executed by BlackBerry or Telety; and any additional documents to the extent necessary and sufficient to show the royalties to be paid under such agreements.